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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:
BED BATH & BEYOND INC., et al¹

Debtors

Chapter 11
Case No. 23-13359 (VFP)
(Jointly Administered)

Hearing Date: October 24, 2023

**CERTIFICATION OF NO OBJECTION REGARDING CREDITOR F3 METALWORX,
INC.'S MOTION FOR THE ALLOWANCE AND PAYMENT OF POST-PETITION
STORAGE CHARGES OF \$23,437 THROUGH OCTOBER 2023 AS AN
ADMINISTRATIVE EXPENSE AND FOR PAYMENT OF \$3,750 PER MONTH AS A
CONTINUING ORDINARY COURSE ADMINISTRATIVE EXPENSE**

1. On September 28, 2023, Creditor F3 Metalworx, Inc. ("Movant"), by and through its undersigned counsel, filed its motion for the allowance and payment of post-petition storage

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the web site of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

charges of \$23,437 through October 2023 as an administrative expense and for payment of \$3,750 per month as a continuing ordinary course administrative expense [Doc. 2309] (the “Motion”).

2. The deadline for parties to file objections and responses to the Motion was October 17, 2023 (“the Objection Deadline”). To the best of the undersigned’s knowledge, no objections or responses to the Motion were filed on the docket on or before the Objection Deadline. Further, Movant’s Counsel has not received any informal responses to the Motion.

3. The proposed order (the “Proposed Order”) that was appended to the Motion is attached hereto as **Exhibit A**. Movant therefore respectfully requests that, consistent with the Court’s April 25, 2023 Order Establishing Certain Notice, Case Management, and Administrative Procedures, Doc 98, the Court enter the attached Proposed Order at the earliest convenience of the Court.

Dated: October 18, 2023

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:
BED BATH & BEYOND INC., et al

Debtors.¹

Chapter 11
Case No. 23-13359 (VFP)
(Jointly Administered)

**ORDER GRANTING MOTION BY CREDITOR F3 METALWORX, INC.
FOR THE ALLOWANCE AND PAYMENT OF POST-PETITION
STORAGE CHARGES OF \$23,437 THROUGH OCTOBER 2023 AS AN
ADMINISTRATIVE EXPENSE AND FOR PAYMENT OF \$3,750 PER
MONTH GOING FORWARD AS A CONTINUING ORDINARY COURSE
ADMINISTRATIVE EXPENSE**

The relief set forth on the following pages, numbered two through four (2-4), is

ORDERED.

Dated:

**Hon. Vincent F. Papalia
United States Bankruptcy Judge**

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Debtors: BED BATH & BEYOND INC., *et al.*

Case No. 23-13359-VFP

Caption of Order: ORDER GRANTING MOTION BY CREDITOR F3 METALWORX, INC. FOR THE ALLOWANCE AND PAYMENT OF POST-PETITION STORAGE CHARGES OF \$23,437 THROUGH OCTOBER 2023 AS AN ADMINISTRATIVE EXPENSE AND FOR PAYMENT OF \$3,750 PER MONTH GOING FORWARD AS A CONTINUING ORDINARY COURSE ADMINISTRATIVE EXPENSE

THIS MATTER having come before the Court on motion by Creditor F3 Metalworx, Inc., for an Order for the allowance and payment of post-petition storage charges of \$23,437 through October 2023 as an Administrative Expense Claim, and for payment of \$3,750 per month going forward as a continuing ordinary course administrative expense pursuant to 11 U.S.C. §§ 503(b)(1)(A) and 507(a), and the Court having reviewed the September 28, 2023 Declaration of Jason Paglia, and the Exhibits thereto, and F3 Metalworx, Inc.'s memorandum of law in support of the motion, and the papers submitted in opposition to the motion, and having heard oral argument, and after due consideration and for good cause shown, the Court finds that: (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) proper and adequate notice of the Motion and hearing thereon has been given and that no other or further notice is necessary; (iv) upon consideration of the Motion and the relief requested and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein,

IT IS hereby

Debtors: BED BATH & BEYOND INC., *et al.*

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ORDERED that the Motion is granted and any objections thereto are overruled; and it is further

ORDERED Creditor F3 Metalworx, Inc., is allowed, and the Debtor Bed, Bath, and Beyond, Inc. shall pay to Creditor F3 Metalworx, Inc. \$23,437 through October 2023 as a Post-Petition Administrative Expense, within five days of the entry of this Order; and it is further

ORDERED that the Debtor Bed, Bath, and Beyond, Inc. shall pay to Creditor F3 Metalworx, Inc. \$3,750 per month on the first day of each month beginning November 1, 2023 and going forward as an ordinary course Administrative Expense pending the Debtor's assumption or rejection of the Debtor's storage contract with F3 Metalworx, Inc., and it is further

ORDERED that upon the Debtor's assumption or rejection of the Debtor's storage contract with F3 Metalworx, Inc., the parties shall comply with 11 U.S.C. § 365, and it is further

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ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from the assumption or rejection of the Debtor's storage contract with F3 Metalworx, Inc.